

KEVIN V. RYAN (CSBN 118321)
United States Attorney

DEC - 9 2005

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-Filing

UNITED STATES OF AMERICA

Plaintiff,

v.

ANTHONY SCOTT CLARK,
aka Volkam,

Defendant.

CR 05 00789

VIOLATION: Title 18, United States Code,
Sections 1030(a)(5)(A)(i), 1030(a)(5)(B)(i)
and 1030(c)(4)(A) and 2 - Intentionally
Causing Damage to a Protected Computer
and Aiding and Abetting

SAN JOSE VENUE

INFORMATION

The United States Attorney charges:

Background

At all times relevant to this Information:

1. A distributed denial-of-service ("DDOS") attack on the Internet is one in which many compromised computers attack a single target, thereby causing a denial of service for legitimate users of the targeted system. In a DDOS attack, a large number of computers are accumulated by exploiting a security vulnerability in a computer operating system or application. A "mass rooter" is a computer program (or virus) that allows the exploitation of the security vulnerability on a broad scale and installs software on the infected computers (or "bots") that allows them to be simultaneously control.

INFORMATION
U.S. v. Anthony Scott Clark, No.

1 2. One manner of carrying out a DDOS attack is use of Internet Relay Chat ("IRC"), an
2 Internet service that allows users to communicate with each other in real-time. IRC is organized
3 around the "chat room" or "channel," in which users congregate to communicate with each
4 other about a specific topic.

5 Distributed Denial of Service Attack

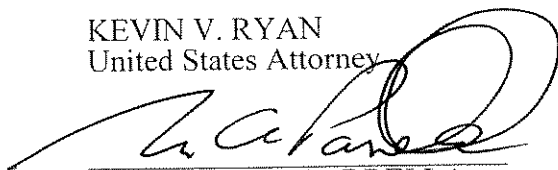
6 3. From in or about July 2003 through August 2003, in the Northern District of California
7 and elsewhere, the defendant


8 ANTHONY SCOTT CLARK

9 knowingly caused the transmission of a program, information, code, and command, that is,
10 packets of data sent in the form of DDOS attacks, executed by exploiting a computer security
11 vulnerability and commanding thousands of "bots" from the IRC channel #ddos#, and as a result
12 of that conduct, intentionally caused damage, without authorization, to protected computers, that
13 is, computers of eBay, Inc. and other computers throughout the world that were used in
14 interstate or foreign commerce or communication, causing an aggregate loss to eBay, Inc. and
15 other persons of at least \$5,000 in value during a one-year period, all in violation of Title 18,
16 United States Code, Sections 1030(a)(5)(A)(i), 1030(a)(5)(B)(i), 1030(c)(4)(A), and 2.

17 DATED: December 9, 2005

18 KEVIN V. RYAN
19 United States Attorney

20 
21 MATTHEW A. PARRELLA
22 Chief, San Jose Branch

23 Approved as to Form: 

24 CHRISTOPHER P. SONDERBY
25 Assistant United States Attorney
26
27
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DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

18 U.S.C. §§ 1030(a)(5)(A)(i), 1030(a)(5)(B)(i) and 1030(c)(4)(A) and 2 - Intentionally Causing Damage to a Protected Computer and Aiding and Abetting.

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:

10 years imprisonment;
 \$250,000 fine;
 3 years supervised release;
 \$100 special assessment;
 Restitution

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

USSS - S/A Tim Malatesta

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW
DOCKET NO.

MAGISTRATE
CASE NO.

Name and Office of Person
Furnishing Information on
THIS FORM

KEVIN V. RYAN

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y
(if assigned)

Christopher P. Sonderby

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

ANTHONY SCOTT CLARK

DISTRICT COURT NUMBER

DEFENDANT

IS NOT IN CUSTODY

- Has not been arrested, pending outcome this proceeding.
- ☐ If not detained give date any prior summons was served on above charges
 - ☐ Is a Fugitive
 - ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- ☐ On this charge
 - ☐ On another conviction
 - ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution
- ☐ Fed'l ☐ State

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED
TO U.S. CUSTODY

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____